

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
UNITED STATES OF AMERICA) 2004 JUN - 7 D 04-10064-RGS
v.) CRIMINAL NO. 2
ROBERT P. BARRY,) U.S. DISTRICT COURT
Defendant.) VIOLATIONS:
) 18 U.S.C. § 922(g)(1) -
) (Felon in Possession of
) Firearm and Ammunition)
) 26 U.S.C. § 5861(d)
) (Possession of an Unregistered
) Firearm)

SUPERSEDING INFORMATION

COUNT ONE: (18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm)

The United States Attorney charges that:

On or about April 30, 2003, at Hyannis, in the District of Massachusetts,

ROBERT P. BARRY,

the defendant herein, having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit: an ITM Arms Company rifle receiver, model AK-74, .223 caliber, bearing serial number 0000905.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO: (18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm and Ammunition)

The United States Attorney charges that:

On or about October 25, 2003, at South Yarmouth, in the District of Massachusetts,

ROBERT P. BARRY,

the defendant herein, having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit: a Special Weapons LLC, model SW5, 9mm semiautomatic firearm, having been converted to a MP5-type machinegun, bearing serial number A00150, and two rounds of 9mm caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE: (26 U.S.C. § 5861(d) - Possession of an Unregistered Firearm)

The United States Attorney charges that:

On or about October 25, 2003, at South Yarmouth, in the District of Massachusetts,

ROBERT P. BARRY,

the defendant herein, did knowingly receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record ("NFRTR"), to wit: a Special Weapons LLC, model SW5, 9mm semiautomatic firearm, having been converted to a MP5-type machinegun, bearing serial number A00150, a "machinegun" within the meaning of 26 U.S.C. § 5845(b).

All in violation of Title 26, United States Code, Sections 5861(d) and 5841.

COUNT FOUR: (18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm)

The United States Attorney charges that:

On or about December 11, 2003, at Dennis, in the District of Massachusetts,

ROBERT P. BARRY,

the defendant herein, having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit: a Colt AR-15, model SP1, .223 caliber rifle, having been converted to a machinegun, bearing serial number SP21312.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE: (26 U.S.C. § 5861(d) - Possession of an Unregistered Firearm)

The United States Attorney charges that:

On or about December 11, 2003, at Dennis, in the District of Massachusetts,

ROBERT P. BARRY,

the defendant herein, did knowingly receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record ("NFRTR"), to wit: a Colt AR-15, model SP1, .223 caliber rifle, having been converted to a machinegun, bearing serial number SP21312, a "machinegun" within the meaning of 26 U.S.C. § 5845(b).

All in violation of Title 26, United States Code, Sections 5861(d) and 5841.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney

Date: June 7, 2004